

MINUTES OF THE ADJOURNED MEETING OF THE COUNCIL OF THE TOWN OF  
WARRENTON HELD ON FEBRUARY 15, 2005

The adjourned meeting of the Council of the Town of Warrenton was held on February 15, 2005 in the Town Council Chambers.

Councilmembers present: George B. Fitch, Mayor, presiding; David A. Norden, Vice Mayor, Councilmen Birge S. Watkins, John V. Albertella, John E. Williams, Dennis M. Sutherland, Terrence L. Nyhous and John S. Lewis, Jr.

Also present: Kenneth L. McLawhon, Town Manager, Whitson Robinson, Town Attorney; and Evelyn J. Weimer, Town Recorder.

The Mayor called the meeting to order and noted that the order of meeting items would be amended, with the Solgrove Board of Viewers matter being addressed first.

Receive report of Board of Viewers for Solgrove Road abandonment (update to attached draft report to be provided).

Mr. Samuel B. Tarr came forward to give the Board of Viewers report on the proposed abandonment of Solgrove Road.

Mr. Tarr noted that the Board of Viewers completed the task and indicated that Mr. Per Bang-Jensen who was also appointed to the Board could not serve. Mr. Tarr stated that Mr. Winfree owned the property coming off of Route 17 to the left of Solgrove Road, Ms. Lenore Plissner's property fronted on Route 17 to the right of Solgrove Road, the property behind Ms. Plissner's property is property owned by Mr. John Mayhugh and to the left of the roadway property is owned by Ms. Rachel Cartwright. Mr. Tarr indicated that after reviewing the issue and a meeting with Mr. Winfree and Ms. Plissner, the two property owners, consideration was given to who would be most impacted by abandoning Solgrove and determining whether the recommendation would consist of abandoning the entire Solgrove Road or just the portion of Solgrove Road which bordered the Winfree and Plissner properties. He stated that the area reviewed, which is located between the Winfree property and the Plissner property, represents about 12,750 square feet, or 2.93 acres. He indicated Mr. Mayhugh was contacted to discuss the impact upon him if Solgrove Road was abandoned but numerous attempts to contact Ms. Cartwright by phone were not successful.

Mr. Tarr noted that the Committee of Road Viewers recommended only abandoning the portion of Solgrove Road fronting Broadview Avenue to a point at the rear property line of the Plissner and the Winfree properties. He explained that the following items were agreed upon by both parties and will be part of the action: 1) Mr. Winfree will provide an ingress/egress easement and gravel roadway to the Plissner property from his private, improved drive extension on the Winfree property, 2) Mr. Winfree will landscape the roadway on the boundary line coordinating with Ms. Plissner on the type of landscaping plantings, 3) Mr. Winfree will install a barrier across Solgrove Road at the rear of the property line, 4) Mr. Winfree shall absorb costs, recording fees, filing fees and other incidental costs, and 5) Ms. Plissner will grant the Town a 10-foot easement for a future foot path adjacent to the Winfree access roadway.

He indicated that when Ms. Plissner purchased her property, she filed for a “quick claim” title/deed to the undeveloped road property, which the County approved. Mr. Tarr stated that the County had established a value of \$1,000 to the subject roadway and the Committee of Road Viewers suggested that this be the established value of the property in question to be abandoned.

On a motion by Mr. Williams, seconded by Mr. Nyhous, Council voted 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis) to accept the recommendation of the Committee of Road Viewers.

## **PUBLIC HEARING.**

**Comprehensive Plan Amendment, CPA #05-01.** A request to amend the Future Land Use Map of the Town of Warrenton 2000-2025 Comprehensive Plan for property on Shirley Avenue behind the Warrenton Volunteer Fire Company (167 Shirley Avenue) to High Density Residential from the current designation of Public/Semi-Public which provides for community facilities. The change would accommodate the rezoning of the property for affordable housing of up to 98 dwelling units. The Comprehensive Plan recommends non-intensive uses such as schools with recreation areas, churches or buffer areas for use transitions. The proposed rezoning is not consistent with the Comprehensive Plan.

**Zoning Map Amendment, ZMA #05-01.** A request to change the zoning classification of property located on Shirley Avenue behind the Warrenton Volunteer Fire Company from PSP Public/Semi-Public to RMF residential Multi-Family for the purpose of constructing age-restricted affordable housing. The property contains 3.95 acres (GPIN #6984-13-7584) and is currently vacant. Surrounding zoning is R-10 Residential to the north and east and PSP Public/Semi-Public to the south and west (fire hall, school bus garage). The rezoning is proposal for up to 98 units of affordable housing based on the density bonuses provided for in Section 11-1 and in accordance with the regulations in Section 11-8 of the Zoning Ordinance. The Comprehensive Plan designates the area for non-intensive, public/semi-public uses which are not consistent with the proposal. The property is owned by Warrenton Volunteer Fire Co., Inc.

**Special Use Permit #05-01.** A request for a Special Use Permit in the RMF Residential Multi-Family District for affordable housing with exceptional design elements that allow additional development density. The use permit is for the exercise of specific site features that would provide for up to fifty percent (50%) added density to the site with a maximum density of 25 units per acre. The property is 3.95 acres (GPIN #6984-13-7584) and could produce a maximum of 98 dwelling units, if all applicable density bonuses are used. The property is owned by Warrenton Volunteer Fire Co., Inc.

The Mayor opened the public hearing at 7:15 p.m. and called upon the Planning Director.

### **Comprehensive Plan Amendment, CPA #05-01.**

Mr. Christopher Mothersead, Director of Planning and Community Development, stated that the application was a request by the Warrenton Volunteer Fire Company for a rezoning and special use permit to provide for an affordable housing, age-restricted development on property they currently own behind the Fire Hall on Shirley Avenue. He noted that the property was a 3.95 acre

parcel which accesses by easement from Shirley Avenue. He explained that he would summarize the three actions and each action would require a separate Council vote.

Mr. Mothersead stated that because of the change in zoning there was a requirement for a Comprehensive Plan amendment and the property was currently identified in the Comprehensive Plan as public/semi-public which was also it's present zoning. He explained that the request to revert to RMF zoning necessitates a change in the Comprehensive Plan to high density residential which has a guideline of up to 12 dwelling units per acre, which is less than what the Fire Company desires of 25 units per acre to facilitate an application for investment tax credits to help provide funding and assistance for the affordable housing project. Mr. Mothersead indicated that there is currently only 2.23 percent of the property in the Town has been identified as vacant public/semi public property and that typically the property would have been set aside for development of the fire company facility or for school use or complimentary facilities such as churches that are part of the community facilities group.

Mr. Mothersead stated that the Comprehensive Plan objectives such as encouragement of infill development, which the parcel is, and the recognition of the value of affordable housing and its need as contrast to the development of new subdivisions, which promotes diversity of housing type within the Town.

He noted that there are contradictions in that the applicant desires 25 units per acre and there was an adjacent residential development consisting of three to four units per acre.

#### **Zoning Map Amendment, ZMA #05-01.**

Mr. Mothersead stated that to the front of the property and to the other side is the County school bus maintenance facility and the fire company. He further stated that with 65% of lot coverage in development under the code there is a considerable compatibility between the lot and development density of the fire company and the bus garage. He indicated that it represented a transition, even though there is a rather strong contrast and problem with compatibility.

He indicated that the proffers presented provided a number of elements which help mitigate the problems of compatibility with the adjacent single family development, including exceptional buffers, the orientation of the building and creation of a courtyard, landscaping and the design of the building which tends to reduce the massing and the impact on the adjacent single family profiles of the structures next door.

He stated that the master water and sewer plan identifies that the area is generally estimated for R-10 type of development, 15 units per acre, and would provide for 4500 gallons per day. He indicated that based on the mix of units and type of consumption for sanitary sewage that were provided by the applicant, it is estimated that it would represent about 6900 gallons per day consumption which is more than what is estimated in the water and sewer study.

He indicated that in addition to the proffers presented, staff recommended conditions that the zoning be favorably considered based on the following conditions:

- 1) That proffered concept plan dated January 19, 2005 be included in the proffers,

- 2) That the architectural treatment of the building be also included with the special use permit to reduce the impact of building mass and scale on the neighborhood,
- 3) That the dedication of the entrance to the property up to the property line from Shirley Avenue by the Fire Company be made with improvements up to public street standards in accordance with the Warrenton Public Facilities Manual.
- 4) Adherence to the regulations in the special use permit conditions which is required,
- 5) A limitation of the number of dwelling units to 98, which is the maximum computation under the zoning ordinance,
- 6) Demonstration of the accommodation of sewer and water consistent with the water and sewer master plan.

#### **Special Use Permit #05-01.**

Mr. Mothersead stated that the use permit is specifically for the designation of the project as ADU (affordable dwelling unit) and with the opportunity for density bonuses from the standard code, RMF, density of 20 units per acre up to 25 units per acre. He further stated that the applicant exercised five elements under the code which lists a series of about 12 density bonus elements for design of site, those included the building and architectural content, provision of design elements such as courtyards, gardens and patios, design of convenient and attractive pedestrian ways, quality of the amount of trees and landscaping, as well as buffering and recreation facilities (community facilities).

He noted that under the first element the building is designed with two wings with the ends toward the single family to reduce the massing of the building and are in elevation to other types of units between with the glass atrium at the ends connecting it in the center so it looks more like four different units with a roof type and a presentation to the single family. He stated it reduced the massing and helps reduce the impact of a three-story structure next to the two and two and a half story structures of the single-family units next door. He stated that the applicant could obtain about 25 percent of the density and it was estimated that the applicant would at least obtain 15 to 20 percent. He indicated the applicant applied for 40 percent and Mr. Andrew Hushour's assessment was that they had achieved 25 percent of that 40.

Mr. Mothersead noted that as far as the courtyards in the middle and on the sides, toward the single family dwelling there is a major courtyard with recreational garden plots, seating areas and passive recreation and there was a pathway system, which in part is required by ordinance, but its extension and connection to Shirley Avenue with an easement for the fire company does provide access and walkways and pedestrian recreation opportunities into the rest of the community. He explained that the applicant provided a 30-foot buffer where 15 feet was required, with increased landscaping throughout and berming. Staff felt that the design elements that had identified were enough to capture the additional density of up to five units per acre to achieve 25 units per acre and get the 98 units they requested. He stated that staff recommended the use permit favorably based on five additional conditions:

- 1) Appropriate documentation being provided to identify the designation of affordability for 25 years,
- 2) Pedestrian walkway connecting to W. Shirley Avenue be included and an easement be provided by the fire company for that,
- 3) That additional landscaping be provided to satisfy the zoning ordinance,
- 4) That the development project meets all other requirements of the zoning ordinance
- 5) The special use permit for Affordable Dwelling Units (ADU) will expire if the State application is not successful within two (2) years of the date of approval by the Warrenton Town Council.

Mr. Watkins asked what the 30-foot buffer would consist of and Mr. Mothersead responded that staff had talked with the applicant about either fencing or berming (4 foot) and landscaping according to the code would be a double row of evergreens and the applicant was planning to add a row of deciduous trees as well as non-deciduous to it to obtain height as well as density screening.

Mr. Norden asked if the applicant might be willing to do the same on the side bordering on R-10 and Mr. Mothersead responded that the applicant could be asked. He did not feel they would be adverse to it.

**Mr. Jim Featherstone.**

Mr. Featherstone, 94 Menlough Drive, thanked the Town for being easy to work with and giving them a chance of a “hard look” and make their proposal better. He noted that the Fire Department had gotten to this point in time with a lot of thought and exploration of numerous alternatives. He stated they had looked at leasing the property, selling it, had talked with the School Board, etc. He indicated that the fire department was not looking for a quick hit of cash but looking for a project that would offer a long-term source of revenue, something that would help fund operations well into the future. He stated they also wanted to look at an alternative that had the possibility of not just helping fund the fire company but also fill other valuable and important community needs and something with semblance to political viability. He further stated that the fire company wanted a project that took into account the neighbors.

Mr. Featherstone noted that the team assisting the fire department included Mr. William Park and he had extensive experience in developing this type of project, Mr. Irvin Woods who was involved in this type of work, an excellent architectural firm and a local legal council. He indicated the fire department was very sensitive to Moffett Avenue residents concerns and had held a recent meeting to inform residents and discuss concerns.

He noted that it was the fire company’s intention to appoint a 3-5 member board of advisors to provide them with ongoing guidance and counsel on the project and that Mr. Don Rose, former chairman of Command Technologies, Mr. Doug Marshall, managing partner in Hill, Barth and King, Mr. Jack Hazel, Mr. C. Hunton Tiffany and Mr. Sam Tarr had been approached to be members of the board. He noted commitments had been received from Mr. Rose, Mr. Marshall and Mr. Tarr to serve on the Board.

Mr. Lewis arrived at the meeting at 7:35 p.m.

**Mr. Dan DeBittencort.**

Mr. DeBittencort, DBR Architects of McLean, noted that his company had been involved in scores of projects for the elderly in Virginia, North and South Carolina. He stated he had tried to pull the building away from Moffett Avenue, located in the shape of “c” and creating a rear yard where there could be passive recreation. He stated that the zoning ordinance allowed for typical market grade housing at the density of 20 per acre in the vicinity of 1400 square feet per unit. He further stated that there are a combination of one and two bedroom units, with the two bedroom units being 1000 square feet and one bedroom units 650 square feet. He indicated that parking is based on the zoning ordinance and the limits had been met and that there would be an elevator in the building. He noted that it was hoped that wings on the building would reduce the impact on the neighborhood, they would be brick, with hip roofs and the buffer along the R-10 would not be a problem.

**Mr. Irvin Woods.**

Mr. Woods, 5116 Lees Manor Road, Hume, Woods Research, noted he was a market analyst and one of the persons who does the field work. He indicated that the Claritas and census data are reviewed, IRS and the state finance agencies guidelines are examined and a study is conducted in compliance with the agency guidelines. He noted how the project fits into the community and market are reviewed. He stated that it is normal to expect that elderly households need housing and they will come to the Town of Warrenton. He pointed out that the housing would be for age 55 and over with an income between \$24,300 and \$46,980. He stated that he did not calculate those selling properties and becoming renters and their interest income on the sale of the property would be added to income. He indicated that the property would be on line in late 2006 or early 2007 and noted that this was not factored into his calculations. He stated that he calculated that the complex will rent up between six to eight months, depending on what time of year it comes on line and it was located in close proximity to shopping, emergency and medical care.

Mr. William Park, Pinnacle Construction and Development Corporation, stated that the project would partner with VHDA, using two sources of financing: 1) through the sale raising equity with tax credit and 2) through taxable bonds with VHDA. He indicated that the application was due on March 11 and two important issues are the zoning and a support letter from the Town Manager worth 50 points. He stated that he had asked the fire company its goals and they a) wanted to retain ownership of the land, b) wanted some type of annuity stream that would appreciate over time, and c) would like to have the ability to provide a service to the community. He indicated that they would hear in May if they are awarded the tax credits and, if so, the credits would be turned into equity which would be put into the property.

**Mr. Henry C. Day.**

Mr. Day, attorney for the fire company, noted that the proposal is asking the Council to change the Comprehensive Plan along with zoning and special use permits to permit affordable housing for an age-restricted community. He stated that the restriction was noted as 25 years, as

noted in the Town's ordinance, but that the applicant would be restricting it for 30 years by VHDA regulations and it would be mirrored in the Town's restrictions.

The Mayor called for questions from Council.

Mr. Nyhous noted he was happy to hear that a Board of Advisors would be formed and he urged the board to become active as soon as possible.

Mr. Albertella asked Mr. Woods if the market universe was 711 households and Mr. Woods responded it was 740 and it would increase based upon the new income items recently released.

Mr. Albertella asked if it was based on 2000 census data and Mr. Woods stated that 2000 census data is used and 2004 data and projections beyond that.

Mr. Albertella asked how the impact of non-resident channels was calculated. Mr. Woods stated they are not calculated but considered a plus in helping the property rent up.

Mr. Albertella asked how the capture rate of 13% compared with other similar projects. Mr. Woods noted it was not aggressive since VHDA does not have any set guidelines on what the capture rate should be.

Mr. Albertella asked if the study considered the absorption of what is currently at The Oaks and Mr. Woods stated they were already subtracted.

The Mayor asked if the capture rate goes into the VHDA scoring and Mr. Woods responded that the market study meets the VHDA requirements or does not but there is no incentive to push the numbers. Mr. Woods noted that his firm is on the VHDA approved list.

Mr. Nyhous asked if Mr. Park had experience managing the properties. Mr. Park stated that there were persons on staff that had certification for being a tax credit compliance person and VHDA has in their ranking system on the development if you have a management company that has any defaults the application will get negative points. He noted his company did not have any negative points.

**Mr. Steve Vento.**

Mr. Vento of Angler Development noted that he was in favor of the affordable housing component and that it would be a good neighbor for his company.

The Mayor called for those opposed to the application.

**Ms. Annette Fiddler.**

Ms. Fiddler of 152 Moffett Avenue came forward to speak on behalf of the residents and property owners of Moffett Avenue. She presented a petition with 49 signatures for the record opposing the rezoning. She stated that the residents of Moffett Avenue were given one week notice to be present the Planning Commission and that was not enough time to prepare for the meeting. She also indicated that as far as the meeting held at the fire company, that there was only a two-day

notice. She pointed out that there were uncertainties concerning water runoff and sewage. She felt the property was zoned public/semi public by the Comprehensive Plan and since there was little property zoned PSP it may be needed in the future. Ms. Fiddler stated that at the Planning Commission meeting a representative of the School Board was opposed to the request because it would restrict any expansion they might need. She stated the neighborhood felt that other issues included traffic concerns on West Shirley Avenue and the two traffic signals and turn lanes. She noted that turning left out of Moffett Avenue has become extremely dangerous. She expressed concern that the apartments may remain vacant and the fire company would have to turn to other means to raise funds. She noted that the Moffett Avenue residents were concerned who would occupy the units and there may be drugs associated with the occupants. She asked that the Council consider the original intent of the planners when the Comprehensive Plan was last updated. She requested the application be denied.

**Ms. Hazel Ross.**

Ms. Ross, 100 Moffett Avenue, came forward and noted she was adamantly opposed to the application, noting she had resided on Moffett Avenue for 40 years. She stated that the neighborhood did not know of the request until the newspaper printed the story.

She noted a concern for traffic and that there were no grocery stores, banks, etc. within walking distance of the proposed units. She further noted that to reach medical care the residents would have to cross a six-lane highway with no crosswalks and climb Hospital Hill. She expressed drainage and parking concerns. She also indicated that there was a possibility of poor management and asked what happens if the project fails financially. She questioned whether the fire company could maintain its tax-exempt status since it would become a profit making organization. She stated that there had been comments to the effect that Moffett Avenue neighbors should have their insurance paid up because the fire company would be slow in responding if there was a fire and that if the neighbors did not want affordable housing, then a jail could be built on the site.

She urged Council denial of the request.

**Mr. George Fiddler.**

Mr. Fiddler of 152 Moffett Avenue came forward and voiced his concerns for the misplaced traffic signals near the fire company and traffic safety. He asked if the rescue squad or hospital handle the needs of the over 100 new residents. He noted that the land should be reserved for the use that the Comprehensive Plan placed on the property.

**Mr. David Westby.**

Mr. Westby, co-developer, along with the Fauquier Housing Corporation, of the The Oaks came forward to note that he has been a developer of affordable housing and was a real estate consultant. He indicated that he also determined for clients if there is a market for the housing proposed. Mr. Westby stated that he wanted to correct inaccurate statements that had been made concerning The Oaks and the need for affordable housing in Fauquier County. He further stated that he received word from his property manager that there was a new affordable housing project proposed and there was a 58-person wait list for The Oaks. Mr. Westby stated that at that time there were two vacant one-bedroom units and no waiting list and three people on the waiting list for the



two-bedroom units. He indicated that if there is a large demand for this type of housing a waiting list larger than three people would exist and that there had never been a waiting list at The Oaks approaching 58 people. He further indicated it took over a year to lease up the project. Mr. Westby noted that the facility typically ran 98 percent occupied and when a person wants to apply for residency, they are given an application and wait for a unit to become available. He stated for a one-bedroom unit the wait is typically no time to two months and a two-bedroom unit the typical wait was two months to six months because there are fewer two-bedroom units.

Mr. Westby stated that the market for affordable housing in Fauquier County was about \$36,540 for a one-person household and a two-person household could make a maximum of \$41,760. He indicated that the fire company noted that they were going to accept people making as little as \$24,700 so there was a band of income eligible people between the \$24,700 and \$41,760. He indicated that was the same income group that The Oaks catered to and if there was a huge demand, there would be a large waiting list. He commented that there was not, so the conclusion may be that there is not a big demand for affordable housing between the income brackets of \$24,700 and \$41,760. He indicated that there was a huge demand for housing for income between \$5,000 and \$15,000 and a demand for housing over \$42,000 for the elderly.

Mr. Westby stated that the average age of The Oaks' residents is 81 years old and residents typically move into The Oaks when they are in their mid 70s. He further stated that of the 110 apartments only four people are younger than seventy years old. He indicated that you do not find many fifty-five year olds moving into retirement communities and that retirement communities are typically for residents seventy years old and up. He indicated that the fire department was counting on a lot of homeowners selling their homes and want to reside in the retirement community and Mr. Westby stated that less than 25 percent of the residents have sold their homes prior to moving into The Oaks. Mr. Westby stated a number of persons who sell their homes and want to move into The Oaks are over income. He felt that based upon the current demographics and the experience of The Oaks, that he did not believe there was a market or need for affordable housing targeted to seniors who make between \$25,000 and \$42,000. He noted that there was a need at other income levels, but the tax credit program does not cater to those levels.

Mr. Westby felt that there would be an impact on traffic in that area and noted that occupants of every unit in The Oaks had a vehicle with the exception of one person who was blind. He also noted that the proposed project's residents were not within walking distance of major shopping areas so that residents would have to drive or have family members come and get them to drive there. He indicated there would be vehicle trips generated by caregivers, service providers and delivery vehicles. He asked if it is known what the fire department would receive or is it just speculation, what risks the fire department is taking to achieve the project, who will be responsible if the project goes "belly up," and what is the best deal for the fire department and taxpayers.

**Dr. Eric Maybach.**

Dr. Maybach, physician and resident of the Town, stated that he had received notification of the meeting and noted that he had heard some legitimate questions. He felt that it should be known how the project would alter funds that would be sent to the fire company. He indicated that the zoning in the Comprehensive Plan could be weighed carefully.

**Ms. Kim Hagedorn.**

Mr. Hagedorn, resident of 78 Moffett Street, came forward to indicate that she felt that the Council could not go forward with the project given all of the good and unanswered questions that had been presented.

The Mayor called for others to address the application. There being no other citizens wishing to speak, the Mayor closed the public hearing at 9:25 p.m.

## **RECESS.**

Whereupon, a recess was called at 9:25 p.m.

The Mayor called the recessed meeting to order at 9:40 p.m.

Mr. Lewis moved approval of Comprehensive Plan Amendment, CPA #05-01 and Mr. Williams seconded the motion.

Mr. Albertella felt certain remarks made by citizens and vote on the matter should be delayed for a short period of time to better investigate and vet the concerns noted.

The Mayor asked Mr. Albertella what particular issues and Mr. Albertella responded that the demand/profitability for the project and Mr. Westby's comments cast a viability issue.

The Mayor asked what could be saved as far as determining whether this project will be viable or not in that Mr. Westby with his personal observation based on his experience and there was the view of the VHDA certified marketing consultant. He asked what more could be added to help Council make a decision and he questioned whether it was the Town's function to determine the viability of the project. Mr. Albertella indicated that the project viability went to the heart of the issue since it would be in the public interest that the project work.

Mr. Lewis indicated he was disappointed in the fire department's efforts to contact the neighbors but he was comfortable with the project. He felt that there was a need for affordable housing. Mr. Lewis stated he did not feel the Town should be the shepherd for the fire department and it appeared they had done their due diligence.

Mr. Norden stated that he was disappointed that the fire department did not meet the needs and answer the questions of the Moffett Avenue residents and he noted that the fire department was trying to do something in the best interest of the community and their long-term financial benefit. He requested that a number of noted questions presented by the residents be answered.

Mr. Norden asked what had been done concerning the drainage issues mentioned by the Moffett Avenue residents and Mr. Mothersead responded that the drainage patterns in that section of Town had extensive improvement over the last five to ten years, with many drainage problems being mitigated. Mr. Mothersead explained that since the property did not have unusual circumstances with ponding or excessive drainage problems on it that the Planning Department did not require a pre-analysis at the zoning level. He indicated that the applicant would have to go through and demonstrate not only erosion but full stormwater management.

The Manager asked the Public Works/Utilities Director to address the drainage from the cemetery and Mr. Tucker noted that about five years ago there was no curb and gutter on Moffett Avenue and there was water coming off the cemetery. He indicated a project was initiated for construction where the curbing and street drainage system was installed to address drainage in the area. He reiterated that stormwater would have to be addressed during the site plan stage.

Mr. Norden stated that he had raised the issue of parking and noted that quite a number of parking spaces would be lost. He asked the fire department's plans for parking since they are expanding.

Mr. Featherstone stated that the expansion of the fire department would occur to the side, slightly to the rear, and somewhat to the front, expanding the footprint of the building. He indicated that the plan for the expanded fire station included an expanded parking lot and there would be a green space between the parking lot and the planned apartment parking lot.

Mr. Norden asked if a plan had been brought to the Town for expansion of the fire station and Mr. Featherstone responded that it had not. Mr. Mothersead noted that about a year ago an informal concept plan had been received and the staff had made the fire company aware that some reworking of the parking lot would occur. He explained that the fire company was notified that if their expansion came forward after approval of the senior housing project and compromises proposed parking, they would have to either modify the addition to make use of available parking, seek approval from the Council for cooperative parking or not to proceed with the expansion.

Mr. Norden stated that one speaker mentioned a back access to Waterloo Street and Mr. Mothersead stated at the end of Moffett Avenue is a cattle guard gate which goes to an informal driveway that links up with Warrenton Boulevard. Mr. Mothersead noted that he had no plans for any linkage but there were plans with property to the west that originally suggested pulling a link and attaching at the traffic light, which was denied.

The Mayor stated that some of the Moffett Avenue residents had questioned if the project does not succeed, all the apartments would be made available to any type of person. The Mayor noted that under the proposed agreement that would not happen and that the age restriction and affordable housing component would stay.

Mr. Watkins noted that he would have the Transportation Safety Commission address the Moffett Avenue traffic concerns.

Mr. Williams urged staff to meet with the Moffett Avenue citizens regarding their concerns.

Mr. Sutherland noted he was concerned that the fire company did not meet with neighbors early on but he continued to think the project is a plus.

Mr. Nyhous echoed all comments made by other Councilmen and indicated that he thought the establishment of an advisory board was a good idea.

On a vote of 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis) the Comprehensive Plan Amendment, CPA #05-01 was approved.

On a motion by Mr. Watkins, seconded by Mr. Nyhous, Zoning Map Amendment, ZMA #05-01 was approved on a vote of 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

On a motion by Mr. Williams, seconded by Mr. Watkins, Special Use Permit #05-01 was approved on a vote of 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

Mr. Norden pointed out that are proffer statements and issues and conditions in the staff reports that are part of the motions.

The Manager asked Mr. Day, attorney for the fire company, if the statement he made regarding the change from 25 years to 30 years, would be corrected in the proffer document. Mr. Day indicated that the change would be made and a revised proffer agreement submitted.

Town Attorney – Warrenton Training Center Resolution.

The following resolution was presented for consideration:

RESOLUTION

A RESOLUTION TO PERMIT THE TOWN MANAGER TO ENTER INTO A CONTRACT TO  
SELL PROPERTY

WHEREAS, the Town of Warrenton owns a 6 acre parcel of land, more or less, located on Bear Wallow Road; and

WHEREAS, the Army Corps of Engineers wishes to purchase said parcel of land and has been in negotiations with the Town of Warrenton in furtherance of purchasing the parcel; and

WHEREAS, the parties have agreed to all outstanding issues regarding the purchase of the parcel except for the statutory requirements of a public hearing and required vote; now, therefore be it

RESOLVED by the Town of Warrenton this 15<sup>th</sup> day of February, 2005, shall permit the Town Manager to enter into a contract to sell said parcel whereby the contract shall state that it is contingent upon the statutory requirements of a public hearing and vote of the Town Council and the price shall not be less than the appraised value.

On a motion by Mr. Nyhous, seconded by Mr. Sutherland, the resolution was adopted on a Council vote of 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

The Town Attorney noted that there was an appraisal of \$175,000 and the offer was for \$230,000.

There being no further business, the meeting adjourned at 10:15 p.m.

Evelyn J. Weimer, Town Recorder